

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-7, 9-15 and 17 are pending in the present application with claim 1 having been amended by the present amendment.

In the outstanding Office Action, claims 1-7, 9-15 and 17 were rejected under 35 U.S.C. § 103(a) as unpatentable over Chang et al. in view of Fridlander et al. and Lehtinen, which is respectfully traversed.

The present invention currently includes independent claims 1, 5 and 14. Comments will first be presented distinguishing independent claim 1 over the applied art.

Independent claim 1 has been amended to recite that the method includes sending the INAP message object through the TCAP dialogue object such that the INAP message object calls a transmission component function of the TCAP dialogue object using the INAP object itself as a parameter. These features are described in the non-limiting paragraph [49] and in step S6 of Figure 9.

On the contrary, the TCAP server in Chang et al. extracts the INAP message and encapsulates it in a message encapsulation interface object. The INAP object in Chang et al. is not sent through the TCAP dialogue objects such that the INAP message object calls a

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transmission component function of the TCAP dialogue object using the INAP object itself as a parameter. Fridlander et al. and Lehtinen also do not teach or suggest these features.

Accordingly, it is respectfully submitted independent claims 1 and each of the claims depending therefrom patentably define over the applied art.

Further, as noted in the previously filed response, independent claims 5 and 14 were amended to include the subject matter recited in dependent claims 8 and 16, respectively. The previous Office Action indicated these features were merely a design choice. The current Office Action indicates that Applicant is required to show why the combination of references would not work or why such a combination involved improper hindsight, reasoning, etc.

It is respectfully noted that rejecting claims based on a design choice is not proper under M.P.E.P. § 2143 - Basic requirements of a *prima facie* case of obviousness. In more detail, this section describes that the prior art references must teach or suggest all the claimed limitations. It is respectfully noted the applied art does not teach or suggest the claimed process of executing the TCAP primitive. If the Office Action is intending to take official notice, Applicant respectfully traverses the official notice and request a reference be submitted illustrating the claimed features.

Accordingly, it is respectfully submitted independent claims 5 and 14 and each of the claims depending therefrom are also allowable.

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CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **David A. Bilodeau**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP



Daniel Y.J. Kim, Esq.
Registration No. 36,186
David A. Bilodeau, Esq.
Registration No. 42,325

P.O. Box 221200
Chantilly, Virginia 20153-1200
703 766-3701 DYK/DAB:lew
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Please direct all correspondence to Customer Number 34610